

Order

Michigan Supreme Court
Lansing, Michigan

June 20, 2018

Stephen J. Markman,
Chief Justice

156557

Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein
Kurtis T. Wilder
Elizabeth T. Clement,
Justices

RICHARD WILLIAM DORKO,
Plaintiff-Appellant,

v

SC: 156557
COA: 333880
Kalamazoo CC:
2004-005765-DM

SHERRY SUE DORKO,
Defendant-Appellee.

On order of the Court, the application for leave to appeal the August 17, 2017 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other action. MCR 7.305(H)(1).

The appellant shall file a supplemental brief within 42 days of the date of this order addressing: (1) whether the plaintiff waived any statute of limitations defense; (2) whether *Joughin v Joughin*, 320 Mich App 380 (2017), was correctly decided; and (3) when a claim for retirement benefits under a judgment of divorce accrues. In addition to the brief, the appellant shall electronically file an appendix conforming to MCR 7.312(D)(2). In the brief, citations to the record must provide the appendix page numbers as required by MCR 7.312(B)(1). The appellee shall file a supplemental brief within 21 days of being served with the appellant's brief. The appellee shall also electronically file an appendix, or in the alternative, stipulate to the use of the appendix filed by the appellant. A reply, if any, must be filed by the appellant within 14 days of being served with the appellee's brief. The parties should not submit mere restatements of their application papers.

The Family Law Section of the State Bar of Michigan and the Michigan Chapter of the American Academy of Matrimonial Lawyers are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 20, 2018

Clerk